

Remarks/Arguments

Claims 1 and 2 are pending in the application. Claim 1 is independent.

In the present response, claim 1 is amended. The support for the claim amendment may be found in Applicants' specification, for example, Fig. 3; page 1, lines 21 – 23; and page 7, lines 35 – 36. No new matter is added.

Rejection of claim 1 under 35 U.S.C. 103(a) over Farhangi et al. (US Patent 5647008, hereinafter “Far”) further in view of Smith et al. (US Patent 7212872, hereinafter “Smith”).

Applicants submit that for at least the following reasons, claim 1 is patentable over Far and Smith, either singly or in combination.

For example, claim 1, in part, requires:

“Method for processing two or more decoded but not yet combined individual audio signals received or replayed from different audio sources, that each wherein at least two of said decoded audio signals have a different number of channels per decoded audio signal and different channel configurations for channel to speaker mapping, ...

... controlling said mixing and/or switching such that in case of non-matching number of channels and non-matching types of channel configurations the number of the channels and the configuration type of the channels to be output following said mixing and/or following said switching is determined by specific mixing and/or switching information provided from a content provider or broadcaster so as to resolve such conflict.” (Emphases added)

Therefore, Applicants' invention deals with a common presentation of individual audio signals received from different audio sources (which can stem from different content providers or from different received or replayed bit streams), but such common presentation of the different audio signal sources was not originally planned

from the content provider(s), as they are individual audio signals. That is, a conflict with different channel configurations of different audio signals occurring only at the receiver side is not foreseen at a transmitter or content provider side.

However, in both Far and Smith, the broadcaster or content provider is already aware of the situation at the receiver side and designs the bitstream transmitted accordingly so that no conflicting channel number/configuration can occur at the receiver side mixdown. Thus, the mix instruction or assignment of the audio signal channels already occurs at the transmitter side (Far: abstract; Fig.2; column 3, lines 10-12; Smith: abstract; Fig.12; column 7, lines 7-15; column 8, lines 47-48 and 52-54). In other words, the audio signals received at the receiver side will not have different number of channels per decoded audio signal and different channel configurations for channel to speaker mapping. Therefore, in both Far and Smith, there is no channel/configuration conflict at the receiver side and thus there is no teaching or suggestion to resolve such conflict.

Furthermore, the claimed invention deals with conflicts having different number of channels per decoded audio signal and different channel configurations for channel to speaker mapping.

In the Office Action, page 3, the Office conceded that Far does not specify that each decoded audio signal comprises a different number of channels with different attached channel configuration items. The Office Action alleges that Smith teaches the features missing in Far. Applicants respectfully disagree.

Smith (column 10, lines 34 – 67) discloses extending the length of data frames of the transmitted signal so as to get additional capacity for the additional channels of the audio signal that can be used differently (but without conflict) at the receiver side. However, Applicants submit that the additional channel taught by Smith does not create a conflict at the receiver side. The additional channel only maps to an additional speaker, not to an existing speaker. Therefore, such mapping for the additional speaker would not conflict with the existing channel to speaker mapping. Furthermore, Smith clearly states that this approach is backward compatible with existing channels (Abstract). Thus, in Smith, there is no conflict in the number of

channels per decoded audio signal and channel configurations for channel to speaker mapping. Therefore, Smith fails to cure the deficiencies in Far.

In view of at least the foregoing, Applicants submit that claim 1 is patentable over Far and Smith, either singly or in combination.

Rejection of claim 2 under 35 U.S.C. 103(a) as being unpatentable over Far in view of Smith, further in view of Saunders et al. (US Patent 7266501, hereinafter Saunders).

Applicants submit that Saunders, does not in any way cure the deficiencies present in the combination of Far and Smith with regard to suggesting the features of claim 1, as discussed above. Therefore, claim 2 is patentable because at least it depends from claim 1 and includes further distinguishing features.

Withdrawal of the rejection of claims 1 and 2 under 35 U.S.C. 103(a) is respectfully requested.

Conclusion

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,
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